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Public service interpreting: the state of the profession in the United Kingdom

Brooke Townsley, Middlesex University

Writing in 1996 about the state of public service interpreting in Australia, Gentile, Ozolins and Vasilakakos stated that:

Consciousness of the role of the interpreter is limited and generally of little interest either to the minority group or to institutions that often see interpreting as a necessary evil. One significant consequence has been the poor remuneration and industrial status, neglected professional development and inadequate management and policy direction experienced by those wanting to work professionally as liaison interpreters.¹

This article will outline the state of the public service interpreting profession in the United Kingdom today and trace the key developments of the last decade. In so doing, it will try to assess how far the description above is applicable to public service interpreting in the United Kingdom. It will start by asking: *why do we need professional public service interpreters (PSI's) and formal arrangements for interpretation?*, a fundamental question that the profession has had to answer in its progress towards professionalisation and recognition; it will then offer two illustrative cases that provide a clear answer to this question. The article will conclude by suggesting further directions for development.

1. Why do we need professional public service interpreters (PSI's) and formal arrangements for interpretation?

It may seem surprising that, at this point in the development of a 'plurilingual' Europe, with an increasingly mobile workforce and high levels of inward migration from

¹ Gentile, A., Ozolins, U. and Vasilakakos, M., Liaison Interpreting, a handbook, Melbourne, 1996, p. 10.

outside the European economic area, this question could still be asked.² Yet reports from qualified and accredited PSI's working in the field in the United Kingdom suggest that there is still a significant incidence of the use of non-professional language mediators, particularly in the health and local government sectors and even, despite the National Agreement (see below section 3.4, p. 6), in the judicial system. PSI's working in the courts still report encountering interpreters with no qualifications or training who have been provided to the court by agencies. Members of non-English speaking minority groups themselves report using family members or friends as language mediators in their contacts with local government and health professionals. Evidently, this question is still implicitly asked by both service providers and service users. The two cases cited below provide a clear illustration of the dangers of this approach.

2. Two illustrative cases

2.1 R v Begum 1981

In 1981, Iqbal Begum, a non-English speaker, was tried for the murder of her husband after suffering years of domestic abuse at his hands; she was convicted of murder and sentenced to life imprisonment. Four years later, a prison visitor discovered that there had been severe problems with the interpretation provided to Mrs Begum both before and during her trial, problems that raised doubts about the validity of her conviction. The language mediator provided was not a trained interpreter but an accountant and, although he spoke a similar Asian language to Mrs Begum, he did not speak the same dialect. As a result, counsel failed to get clear instructions from Mrs. Begum and, for her part, she did not understand the difference between the charges of murder and manslaughter when she entered her plea of guilty to murder. Reviewing her case, the Court of Appeal ruled that, as she had understood very little of the case against

² See The Common European Framework in its political and educational context, http://www.culture2.coe.int/portfolio/documents_intro/common_framework.html, section 1.3, p. 4 for the origin and definition of the term 'plurilingual'.

her, she had not entered a proper plea. The trial was declared a nullity and Mrs Begum was released on appeal in 1985.³ Some years later she took her own life.

2.2 Victoria Climbié

Seven-year-old Victoria Climbié arrived in the United Kingdom from the Ivory Coast, via France, in April 1999, with her aunt and legal guardian, Rose Kouao. Between April and June 1999 Kouao began a relationship with Carl Manning, a British bus driver, and in July 1999, Kouao and Victoria moved into Manning's home in Tottenham, North London. Within days, Manning began to abuse Victoria, abuse that resulted in two visits to hospital for treatment of her injuries. On 24 February 2000, Victoria was admitted to the North Middlesex hospital in London suffering from malnutrition and hypothermia; she was subsequently transferred to the intensive care unit of St. Mary's Hospital, where she died the following day. In his post mortem investigations, the Home Office pathologist, Dr Nathaniel Carey, discovered a total of 128 injuries and scars on the seven-year-old's body, describing them as 'the worst case of child abuse I've encountered'.

The death of Victoria Climbié brought to the attention of the public in the United Kingdom a profound failure of the inter-agency child protection system and resulted in a wide-ranging public inquiry presided over by Lord Laming. As has been widely reported in the media, Lord Laming's report highlighted the failures of the health services who saw Victoria on two occasions at hospital, of the social services and of the Metropolitan Police child protection officers. An issue raised in his report that has received less public attention, however, is the issue of Victoria's language. It was well known that Victoria's first language was not English and that there were significant language difficulties in the case - Kouao herself had claimed to speak no English during an earlier housing allocation interview.⁴ Yet at no time during the period leading up to her death was Victoria

³ See *R v Begum* 1991 (reported in 93 Criminal Appeal Reports 96).

⁴ For Rose Kouao's difficulties with English see *The Victoria Climbié Inquiry*, <http://www.victoria-climbié-inquiry.org.uk/finreport/report.pdf>, sections 4. 92 (p. 53), 4. 144 (p. 61) and 4. 149 (p. 61).

interviewed alone with the aid of an interpreter.⁵ At all of these meetings, language mediation between Victoria and the English speaking professionals was provided by Rose Kouao herself, the woman subsequently found jointly responsible for her death.

3. Regulation of public service interpreting

The cases cited above, the former from the criminal justice system and the latter from social services and child protection, underline the importance of effective arrangements for the provision of professional PSI's to non-English speakers during their interactions with the English speaking establishment. The Begum case, in particular, acted as a spur in the judicial system to the recognition of the importance of proper arrangements for interpreting in the courts and, in the last decade, significant steps have been taken in all areas of public service towards the regulation of previously *ad hoc* arrangements for the provision of interpreting. The main steps taken towards regulation and professionalisation of the role of the PSI in the United Kingdom are as follows.

3.1 The Diploma in Public Service Interpreting (DPSI)

The introduction in 1994 of the Diploma in Public Service Interpreting examination ((DPSI), run by the Institute of Linguists (IoL), provided for the first time an objective assessment of the skills of a PSI interpreter and a professional accreditation of the role. A challenging test of a would-be interpreter's abilities, the examination can be taken in three options, reflecting the main areas of a PSI's work. These options are Legal, Local Government and Health; there is also a Scottish Law variation of the Law option for PSI's working in Scotland. It is not uncommon for a PSI to take all three options over a period of years to extend their professional accreditation. The examination tests four key skills: a candidate's ability to interpret dialogue between an English speaker and an other language speaker using short consecutive interpretation; their ability to interpret

⁵ Ibid., sections 10.13 (p. 256), 10.14 (p. 256) and 10.15 (p. 280).

monologue using whispered simultaneous interpretation (chuchotage); their ability to provide on-sight oral translation of short texts; and their ability to provide a written translation of a written text. The last three tasks have to be performed both into and out of English. All tasks have to be completed within a time limit and a pass mark of 60% must be achieved in each individual task in order to receive the DPSI. Successful candidates earn the right to use the letters DPSI after their name.

3.2 The National Register of Public Service Interpreters (NRPSI)

Further progress towards the regulation of the profession was made with the establishment, also in 1994, of the National Register of Public Service Interpreters (NRPSI), a central register of qualified PSI's available to service providers throughout the United Kingdom. 'Full' registration status on the NRPSI requires successful completion of the DPSI in conjunction with a minimum of 400 hours of proven public service interpreting experience. Members' names and contact details and their areas of specialisation are all listed in their entry on the NRPSI and members can use the letters RPSI (Registered Public Service Interpreter) after their name.⁶ The NRPSI enables service providers to engage a qualified interpreter located closest to the point of need and with expertise in the specific area of interpreting called for by the assignment. It also offers providers and their clients the assurance that interpreters taken from the register have a common, minimum standard of accreditation and professionalism and that they work to a professional code of conduct.

3.3 Adoption of the European Convention on Human Rights (ECHR)

Of particular relevance to interpreting in the criminal justice system was the adoption into British Law on 2 October 2000 of the European Convention on Human Rights (ECHR). The convention states in Article 6.3 that:

Everyone charged with a criminal offence has the following minimum rights:

⁶ The NRPSI also allows for interim and limited assessment registration.

- a. to be informed promptly, and in a language which he understands and in detail, of the nature and cause of the accusation against him
- and
- e. to have the free assistance of an interpreter if he cannot understand or speak the language used in court.⁷

The incorporation of the ECHR into British law made the provision of effective interpretation for non-English speakers in criminal courts a legal requirement.

3.4 The Agreement on the Arrangements for the Attendance of Interpreters in Investigation and Proceedings within the Criminal Justice System (The National Agreement)

In October 2001 the National Agreement on the use of interpreters in the criminal justice system, drafted by the Trials Issues Group, Witness Care Subgroup, Interpreters Working Group, came into force. The National Agreement states that:

every interpreter working in courts and police stations should be registered with the National Register of Public Service Interpreters (NRPSI...) or the Council for the Advancement of Communication with Deaf People (CACDP) because they offer a minimum and measurable standard of training and quality assurance.⁸

The adoption of these two registers, the NRPSI for spoken language interpreting and the CACDP register for sign language interpreting, as the primary sources for interpreters has gone some way towards regulating the provision of professional PSI's in the criminal justice system and towards ensuring minimum professional standards of interpreting and behaviour.

⁷ The European Convention on Human Rights 1950,
<http://conventions.coe.int/treaty/en/Treaties/Html/005.htm>, article 6.3.

⁸ Revised agreement on the arrangements for the attendance of Interpreters in investigations and proceedings within the criminal justice system,
<http://www.cps.gov.uk/publications/docs/interpret.pdf>, section 1, p. 2.

3.5 Immigration and asylum

Two other institutions that rely on interpreters to carry out their functions, the Immigration and Nationality Department (IND) and the Immigration Appellate Authority (IAA), have invested in their own recruitment, assessment and training of interpreters in addition to using those registered on the NRPSI.⁹ They have also reviewed their rates of pay for interpreters, a recognition by these institutions of the importance they attach to professional interpreting.

4. Professionalisation of public service interpreting

The developments outlined above show that there has been significant progress towards the regulation of public service interpreting in the United Kingdom and, as in other European countries, the movement towards the professionalisation of public service interpreting is underway. This is reflected in the steady increase in numbers of applications for the DPSI (less than 100 in 1994 to over 1000 in 2004) and of registrations on the NRPSI (over 1,500 at the time of writing). It is also encouraging to see new training programmes for public service interpreters being set up as universities turn their attention to this field of linguistic activity.¹⁰ Crucially, conversations with interpreters in the field suggest that they are beginning to regard themselves as professionals and to ask for that recognition from their clients. It is notable in this respect that, in October 2000, the National Union of Professional Interpreters and Translators (NUPIT), part of the much larger public service workers' union, Amicus, was set up to campaign for better working conditions and pay.

However, there are still major obstacles to be overcome. One is the limit on the number of languages that interpreters can be tested in by the DPSI. At present, the examination is offered in 41 languages combined with English. It is estimated, however,

⁹ The IND is a branch of the Home Office that deals with immigration and asylum applications. The IAA is a jurisdiction that hears appeals against IND decisions.

¹⁰ The Foundation Degree in Public Service Interpreting at City University, London, is a notable example.

that 370 languages are spoken in the Greater London area alone, and it is not uncommon to encounter interpreters who wish to have their skills accredited but for whom no examination exists.¹¹ This, in turn, places limits on the number of languages that can be represented on the NRPSI.

A further point regarding training and accreditation is made by Ann Corsellis at the beginning of her chapter 'Training the Trainers' in the Aequitas report. Here she states that 'trainers are the lynchpins of any profession'.¹² However, the quality of training provided to would-be public service interpreters in the United Kingdom is variable and as yet there is little formal training for PSI trainers.¹³

Sadly, there has also been some resistance from within the profession itself to the establishment of common standards and objective assessment. Some providers of language mediation, often of long standing, have felt threatened by these developments, in particular by moves towards assessment and accreditation of their skills. They also express the anxiety that their income will be affected by a 'flooding of the market' with newly qualified interpreters. As the response from the IoL and the NRPSI to the Lord Justice Auld report notes: 'As is often the case, new developments in a profession, to meet new social changes, have repercussions on historic arrangements'.¹⁴ It goes on to state, however, that:

For obvious reasons, public service professionals such as lawyers and doctors are regulated and it is necessary that interpreters and translators working in the public

¹¹ Annex to the Response by the Institute of Linguists and the National Register of Public Service Interpreters (NRPSI Ltd) to chapter 11, paragraphs 155-162 of the Report on the Criminal Courts by Lord Justice Auld, 2001,

<http://www.dca.gov.uk/criminal/auldcom/op/op3.htm>, pp.1-20, (para. 5), p.5.

I recently met three interpreters of Shona who wanted to take the DPSI examination and they indicated that they had five other colleagues who would also be interested. Other trainees I have encountered for whom no formal examination exists are interpreters of Bulgarian and Hungarian.

¹² Corsellis, A., 'Training the Trainers' in Hertog, E. (ed), Aequitas, Access to Justice across Language and Culture in the EU, Antwerp, 2001, pp.139-45 (p. 139).

¹³ In response to this need, a Post-Graduate Certificate for Interpreter Trainers is being run by Middlesex University, London, starting October 2004.

¹⁴ Annex to the Response by the Institute of Linguists and the National Register of Public Service Interpreters (NRPSI Ltd) to chapter 11, paragraphs 155-162 of the Report on the Criminal Courts by Lord Justice Auld, 2001,

<http://www.dca.gov.uk/criminal/auldcom/op/op3.htm>, pp.1-20, (para.12, p. 6).

service context should be subject to a similar regulatory framework to protect their clients, their colleagues, their body of knowledge and themselves.¹⁵

5. Uneven progress across sectors

It is also the case that the recognition of the profession of public service interpreting has developed unevenly across different sectors of public life. The adoption of the ECHR and the signing of the Trial Issues Group national agreement have been of particular significance to the judicial system and it is there that most progress has been made. However, recognition of the importance of the provision of professional interpretation at points of interface between non-English speakers and host culture institutions has not developed to the same level in the local government, welfare or health sectors. This is illustrated by the two cases cited at the beginning of this article. The case of Iqbal Begum dates from 1981 and since then there have been significant changes to arrangements in the criminal justice system for the provision of interpretation. The case of Victoria Climbié, drawn from the social services field, dates from the year 2000. Evidently, the safeguards implemented in the criminal courts and police services had not been implemented in the social services at that time.

Nor have rates of pay for interpreters in other sectors kept pace with those in the judicial system. An interpreter working for the courts or the police can expect to receive between £28 and £35 per hour for their services, whereas £16 or £17 is the more normal hourly rate in the health or local government sectors in Greater London. Outside the capital, interpreters in these sectors have reported hourly rates paid to be as low as £8. This discrepancy in rates is surely a fundamental reason for the much lower rates of application for the local government and health options in the DPSI.¹⁶ There is less incentive for an individual to train or invest in professional accreditation (£450 for the examination alone in 2005) when the potential financial rewards are so much lower.

¹⁵ Ibid.

¹⁶ ‘In 2001, there were over 1000 candidates for the DPSI examination, of whom about 50% took the legal option.’ Ibid., para. 27.,p.8.

Conclusion

This article began by posing the question still implicitly asked by some public service providers: ‘why do we need professional PSI’s and formal arrangements for the provision of interpretation?’. The two cases cited indicate a clear answer to that question and I have outlined some of the main steps that have been taken to address these issues. These steps show that there have been significant improvements in the provision of public service interpreting, compared to the situation described by Gentile, Ozolins and Vasilakakos in 1996. However, these improvements have been predominantly confined to the judicial system; the importance of the use of professional PSI’s in other areas continues to be neglected. For the author of this article, this raises the question of whether there should be a national agreement on the use of interpreters in the health service and local government similar to that in the criminal justice system. The avoidable death of Victoria Climbié shows that such an agreement and the arrangements to underpin it cannot come too soon.

(3,157 incl.footnotes)